

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4211-03
Bill No.: Perfected HCS for HB 1137
Subject: Vital Statistics; Health Dept.; Family Law; Children and Minors
Type: Original
Date: April 25, 2012

Bill Summary: Changes the requirements regarding the obtaining of adoption records.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	\$11,182	\$13,756	\$14,177
Total Estimated Net Effect on General Revenue Fund	\$11,182	\$13,756	\$14,177

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Children's Trust	\$15,750	\$19,375	\$19,955
Endowed Cemetery	\$3,150	\$3,875	\$3,991
MO Public Health Services	\$15,750	\$19,375	\$19,955
Total Estimated Net Effect on <u>Other</u> State Funds	\$34,650	\$42,625	\$43,901

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Administrative Hearing Commission and Office of State Courts Administrator** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of Attorney General** assume any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. **The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs.** However, it is also recognized that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain within its core budget. **Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.**

Officials from the **Department of Social Services - Children's Division (CD)** state this proposed legislation allows the CD to refer the adopted person, or the adopted person's lineal descendants if the adopted person is deceased, to the child placing agency or court if the CD does not have sufficient information or the resources to conduct the searches and allows the CD, the child placing agency, or the court to charge actual costs of the search to the adopted person or the adopted person's lineal descendants, if the adopted person is deceased.

The Children's Division would anticipate fielding the anticipated requests, determining whether or not the CD has sufficient information and resources to conduct the search, and appropriately referring the adopted adult or the lineal descendant when necessary. The Division could absorb these duties with current resources and anticipates a minimal fiscal impact as a result of this proposed legislation.

ASSUMPTION (continued)

Section 453.080

The CD would not be fiscally impacted as a result of this proposed legislation as its requirements are directed to the Supreme Court and the judge presiding over the adoption proceedings. However, the CD may need to update policy to accommodate the provisions of the proposal and put them into practice.

Officials from the **Department of Health and Senior Services (DHSS)** provide the following assumptions:

Section 193.132 & 453.510

The legislation would require the Bureau of Vital Records, State Registrar to develop a contact preference form and medical history form to provide to the birth parent(s), upon request.

Currently, the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquiries and requests for certified copies of original birth certificates are expected to double from the current amount, with an increase of approximately 3,780 requests annually (15 requests X average of 21 working days per month X 12 months/year = 3,780 requests). There is currently one Senior Office Support Assistant-Keyboarding (SOSA) working on adoptions. An additional SOSA would be needed to handle the additional requests (1 FTE at \$24,576 annually).

This position would assist internal and external customers through written correspondence, in person, and over the telephone primarily regarding adoptions, vital events and related matters. The staff would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include processing documents related to births, including adoption decrees (domestic and foreign); legitimating affidavits; amending or creating new certificates as instructed by affidavit or court order; processing delayed applications; performing manual and computer searches; updating the system mainframe; and issuing certified copies as requested. Standard expense and equipment costs are included for one FTE. In addition, approximately \$1,701 would be needed for postage (3,780 requests X \$0.45/envelope).

The DHSS assumes this proposal would result in net costs to the General Revenue Fund of \$31,223 for FY 13; \$31,603 for FY 14; and \$31,745 for FY 15. Revenue from the additional birth certificates generated would be split between General Revenue, the Children's Trust Fund, the Endowed Cemetery Fund, and the MO Public Health Services Fund.

ASSUMPTION (continued)

Oversight assumes, because the potential significant increase in the workload is speculative, that the DHSS could absorb one FTE. Any significant increase in the workload of the DHSS would be reflected in future budget requests.

Amendment #1

Officials from the **Office of State Courts Administrator** assume the proposal would have no fiscal impact on their organization.

Officials from the **Department of Social Services - Children's Division (CD)** state this language provides that prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.

The CD does not anticipate a fiscal or programmatic impact as a result of this legislation.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
GENERAL REVENUE FUND			
<u>Income - Department of Health and Senior Services</u>			
Birth Certificates Fees	\$12,600	\$15,500	\$15,964
<u>Costs - Department of Health and Senior Services</u>			
Postage	<u>(\$1,418)</u>	<u>(\$1,744)</u>	<u>(\$1,787)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$11,182</u>	<u>\$13,756</u>	<u>\$14,177</u>
CHILDREN'S TRUST FUND			
<u>Income - Department of Health and Senior Services</u>			
Birth Certificate Fees	<u>\$15,750</u>	<u>\$19,375</u>	<u>\$19,375</u>
ESTIMATED NET EFFECT ON CHILDREN'S TRUST FUND	<u>\$15,750</u>	<u>\$19,375</u>	<u>\$19,375</u>

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
ENDOWED CEMETERY FUND			
<u>Income - Department of Health and Senior Services</u>			
Birth Certificate Fees	<u>\$3,150</u>	<u>\$3,875</u>	<u>\$3,991</u>
ESTIMATED NET EFFECT ON ENDOWED CEMETERY FUND	<u>\$3,150</u>	<u>\$3,875</u>	<u>\$3,991</u>
MO PUBLIC HEALTH SERVICES FUND			
<u>Income - Department of Health and Senior Services</u>			
Birth Certificate Fees	<u>\$15,750</u>	<u>\$19,375</u>	<u>\$19,955</u>
ESTIMATED NET EFFECT ON MO PUBLIC HEALTH SERVICES FUND	<u>\$15,750</u>	<u>\$19,375</u>	<u>\$19,955</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

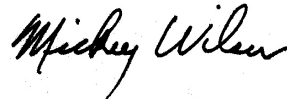
FISCAL DESCRIPTION

This proposal changes the laws regarding adoption records. In its main provisions, the proposal: (1) Requires the State Registrar within the Department of Health and Senior Services to develop and provide each birth parent of an adoptee with a contact preference form and (2) Requires the State Registrar, upon receipt of the completed contact preference forms to attach the form to the original birth certificate of the adopted person.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Office of Administration -
 Administrative Hearing Commission
Office of State Courts Administrator
Department of Health and Senior Services
Department of Social Services -
 Children's Division
Joint Committee on Administrative Rules
Office of Secretary of State



Mickey Wilson, CPA
Director
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